

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

PHOENIX BEVERAGES, INC., et al.,

Plaintiffs,

-against-

EXXON MOBIL CORPORATION, et al.,

Defendants.

Case No. 1:12-CV-03771 (PKC) (JO)

**ANSWER TO
THIRD-PARTY DEFENDANT
NL INDUSTRIES, INC.'S
COUNTERCLAIM AGAINST
DEFENDANT/THIRD-PARTY PLAINTIFF
EXXON MOBIL CORPORATION**

EXXON MOBIL CORPORATION,

Third-Party Plaintiff,

-against-

ACE WASTE OIL, INC., et al.,

Third-Party Defendants.

Defendant/third-party plaintiff Exxon Mobil Corporation (“ExxonMobil”) by its attorneys as and for its answer to the counterclaim (“Counterclaim”) of third-party defendant NL Industries, Inc. or “Third-Party Defendant”, states as follows:

1. The allegations contained in Count I of the Counterclaim state legal conclusions to which no responsive pleading is required. Moreover, to the extent the allegations refer to various statutes, such statutes speak for themselves. To the extent an answer is required, ExxonMobil denies the allegations contained in Count I of the Counterclaim.

2. The allegations contained in Count II of the Counterclaim state legal conclusions to which no responsive pleading is required. Moreover, to the extent the allegations refer

